

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

SALVADOR BELTRAN, JR.,
and ELI GROSS,
*Individually and on behalf of all others
similarly situated,*

Plaintiffs,

v.

SONY PICTURES ENTERTAINMENT,
INC. d/b/a CRUNCHYROLL,

Defendant.

Case No: 1:22-cv-04858

Judge: Sara L. Ellis

**DECLARATION OF SCOTT M.
FENWICK OF KROLL SETTLEMENT
ADMINISTRATION LLC IN
CONNECTION WITH PRELIMINARY
APPROVAL OF SETTLEMENT**

I, Scott M. Fenwick, hereby declare:

1. I am a Senior Director of Kroll Settlement Administration LLC (“Kroll”),¹ the proposed Settlement Administrator to be appointed in the above-captioned case, whose principal office is located at 2000 Market Street, Suite 2700, Philadelphia, Pennsylvania 19103. I am over 21 years of age and am authorized to make this declaration on behalf of Kroll and myself. The following statements are based on my personal knowledge and information provided by other experienced Kroll employees working under my general supervision. This declaration is being filed in connection with preliminary approval of the settlement.

2. Kroll has extensive experience in class action matters, having provided services in class action settlements involving antitrust, securities, labor and employment, consumer and government enforcement matters. Kroll has provided class action services in over 3,000 settlements varying in size and complexity over the past 50 years.

3. Kroll is prepared to provide a full complement of notification and claims administration services in connection with that certain Class Action Settlement Agreement (the

¹ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Settlement Agreement (as defined below).

“Settlement Agreement”), including providing notice of the Settlement Agreement disseminated by email and through the use of a settlement website to be created in connection with this matter.

4. It is Kroll’s understanding that it will be provided with a list of Settlement Class Members covered under the proposed Settlement Agreement, and the Class List is to contain names and email addresses.

CAFA Notice

5. On behalf of the Defendant, Kroll will provide notice of the proposed settlement pursuant to the Class Action Fairness Act, 28 U.S.C. §1715(b) (“the CAFA Notice”). At Defendant’s Counsel’s direction, within ten (10) days of the Preliminary Approval motion filing, Kroll will send the CAFA Notice relating to the settlement via first-class certified mail to (i) the Attorney General of the United States and (ii) to the state Attorneys General identified on the service list for the CAFA Notice. The CAFA Notice will direct the recipients to the website www.CAFANotice.com, a site that will contain all the documents relating to the settlement referenced in the CAFA Notice.

Notice by Email

6. In preparation for disseminating Notice by email, Kroll will work with Class Counsel and Defendant’s Counsel (collectively, “Counsel”) to finalize the language for the email form of the Notice (“Email Notice”). Once the Email Notice is approved, Kroll will create an Email Notice template in preparation for the email campaign. Kroll will prepare a file with all Settlement Class Member email addresses and upload the file to an email campaign platform. Kroll will prepare email proofs for Counsel’s review and final approval. The proofs/test emails for approval will include the body of the email and subject line. Once the proofs/test emails are approved, the email campaign will begin as directed in the Settlement Agreement.

7. Kroll will track and monitor emails that are rejected or “bounced back” as undeliverable. If the Email Notice was delivered successfully, no further action will be taken with respect to the particular potential Settlement Class Member record.

8. For Email Notices rejected or “bounced back” as undeliverable, Kroll will attempt to re-send the Email Notice a second time. If the second attempt to send the Email Notice is unsuccessful, with Counsel’s approval, Kroll will send the bounced email addresses through an advanced email address search process in an effort to find an alternate email address. If an updated email address is obtained through the advanced search process, Kroll will re-send the Email Notice to the updated email address.

9. At the conclusion of the email campaign, Kroll will provide a report with the email delivery status of each record. The report will include the number of records that had a successful Email Notice delivery, and a count of the records where delivery failed. Kroll will also update its administration database with the appropriate status of the email campaign for each of the Settlement Class Member records.

Settlement Website

10. Kroll will work with Counsel to create a dedicated settlement website. The settlement website URL will be www.crunchyrollppasettlement.com, or another URL approved by Counsel. The settlement website will contain a summary of the settlement, will allow Settlement Class Members to contact the Settlement Administrator with any questions or changes of address, provide notice of important dates such as the Final Approval Hearing, Claims Deadline, Objection/Exclusion Deadline, and provide Settlement Class Members who file Claim Forms online the opportunity to select an electronic payment method, including Venmo, Zelle, Paypal, ACH, or payment by check. The settlement website will also contain relevant case documents including the Settlement Agreement, Preliminary Approval Order, the long-form Notice, and the motion supporting the Fee Award.

Toll-Free Telephone Number

11. Kroll will also establish a toll-free telephone number for the settlement. The toll-free telephone number will allow Settlement Class Members to call and obtain information about the settlement through an Interactive Voice Response (“IVR”) system.

Post Office Box

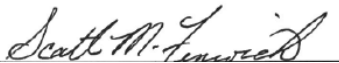
12. Kroll will designate a post office box with the mailing address *Beltran, et al. v. Sony Pictures Entertainment, Inc.*, c/o Kroll Settlement Administration LLC, PO Box <<####>>, New York, NY <<Zip-Zip4>> in order to receive requests for exclusion, Claim Forms, and correspondence from Settlement Class Members.

Reminder Notices

13. As required under 4.1(d) of the Settlement Agreement, forty-five (45) days before the Claims Deadline, Kroll will send reminder Email Notices. The reminder notice will be sent to Settlement Class Members who have not yet submitted a Claim Form and have not opted out of the settlement. The reminder Email Notice will be sent in the same manner as the initial Email Notices were sent and delivered. In addition, fourteen (14) prior to the Claims Deadline, Kroll will send a second reminder Email Notice to Settlement Class Members who have not yet submitted a Claim Form and have not opted out of the settlement.

Certification

I declare under penalty of perjury under the laws of the United States that the above is true and correct to the best of my knowledge and that this declaration was executed on September 15, 2023, in Inver Grove Heights, Minnesota.



Scott M. Fenwick